

that they will, without favour, affection, prejudice or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his land, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have had at least five days previous notice, and shall return the damages so assessed to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; and the party or parties in whose favour the valuation ascertained by the said commissioners, or the damages assessed by the said freeholders, shall be made, shall be entitled to receive the same from the said commissioners, and the said commissioners shall pay, or secure to be paid, the amount of said valuation or damages to the respective parties entitled to the same, before they shall proceed to affect the lands of the person or persons concerned.

CHAP. LIII.

*An Act for draining part of a Branch of Tuckahoe, known by the name of Beaver Dam Branch, lying in Queen Anne's County.* Lib. TH. No. 1, fol. 53.

Passed Jan 25, 1868

WHEREAS it is represented to this general assembly, by the petition of sundry inhabitants, that they are possessed of part of a valuable branch in Tuckahoe, called Beaver Dam Branch, lying in Queen Anne's county, and as there is good reason to believe that very great advantage might be derived, as well to the public as the proprietors of said branch, if the same should be effectually *chained*, and as it cannot be well accomplished without the aid of the legislature, by passing an act to secure the joint exertions of all the said proprietors: And whereas it appears to this general assembly, that it will be of public utility to extend the aid of the legislature in order to accomplish so good an object; therefore,

Preamble

2. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the proprietors of the lands lying on a branch of Tuckahoe, known by the name of the Beaver Dam Branch, extending from the road crossing the said branch at the Beaver Dam causeway until it shall intersect the main ditch of Long Marsh, to meet on the first Monday of April in each and every year herein after, at a village known by the name of Beaver Dam, or at any other place which a majority of the proprietors may appoint, in Queen Anne's county, and for such proprietors, or a majority of those who shall attend at the said meeting, then and there annually to elect, by ballot, three of the said proprietors for directors, who, when so elected and chosen, are hereby authorised and empowered, or any two of them, to make and open a drain or ditch down said branch, from the said road, until it shall intersect the main ditch of Long Marsh aforesaid, in such direction, and of such width and depth, as they, or a majority of them, may judge most proper to carry off the water from said branch, (provided the width does not exceed sixteen feet, or depth three feet,) and reduce the same to dry land; and the power and authority of said directors, so to be chosen, shall continue and be in force until the next annual election of directors.

Proprietors of lands to meet and appoint three directors, who are authorised to open a drain.

3. AND BE IT ENACTED, That the cost, charges, and expenses, of cutting and opening said ditch or drain, shall be paid by

Expenses to be paid by proprietors.